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LETTER DATED 27 JANUARY 1998 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of resolution 14/8-P (IS), on the crisis between the Great Socialist People's Libyan Arab Jamahiriya, on the one hand, and the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic, on the other, as adopted by the Organization of the Islamic Conference at its eighth session, held at Tehran, Islamic Republic of Iran, from 9 to 11 December 1997.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative

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Annex

[Original: English]

Resolution 14/8-P (IS) on the crisis between the Great Socialist People's Libyan Arab Jamahiriya, on the one hand, and the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic, on the other

The Eighth Session of the Organization of the Islamic Conference (Session of Dignity, Dialogue, Participation), held at Tehran, Islamic Republic of Iran, from 9 to 11 Sha'aban, 1418H (9-11 December 1997),

Having considered the item concerning the current crisis between the Great Socialist People's Libyan Arab Jamahiriya, on the one hand, and the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic, on the other, and having also considered the relevant report of the Secretary-General,

Guided by the Charter of the Organization of the Islamic Conference, which calls for solidarity among the member States,

Emphasizing the principles of the Charter of the United Nations, which stipulate that all Member States are committed to refrain from the use or the threat of use of force in their international relations, and the settlement of their disputes by peaceful means,

Expressing deep appreciation of the position of, and the positive initiatives undertaken by, the Great Jamahiriya aimed at finding a peaceful solution to this crisis acceptable to all parties, and its acceptance of United Nations Security Council resolution 731 (1992),

Referring to the resolutions of previous sessions of the Organization of the Islamic Conference, the resolutions and declarations adopted by regional organizations, especially the resolution adopted by the League of Arab States at its one hundred and eighth session held at Cairo on 20 and 21 September 1997, the declaration adopted by the Assembly of Heads of State of the Organization of African Unity at its thirty-third ordinary session, held at Harare from 2 to 4 June 1997, and the final document of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997,

Expressing its deep concern over the humanitarian and material damage inflicted upon the Libyan Arab people and the peoples of neighbouring States as a result of the unjust sanctions imposed in implementing Security Council resolutions 748 (1992) and 883 (1993),

Reaffirming the risks posed by the continuation of this crisis to the security and safety of this region and their adverse effects on international peace and security,

Expressing its regret over the disregarding and neglecting by the other parties concerned of the initiatives of the Jamahiriya and the constructive efforts exerted by regional organizations to settle this crisis,

1. Reiterates the resolutions of previous sessions of the Organization of the Islamic Conference on solidarity with the Great Socialist People's Libyan Arab Jamahiriya, which support the latter's position and constructive efforts aimed at reaching a peaceful solution to the crisis;

2. Urges the three Western States concerned to respond positively to the Libyan initiatives and regional and international efforts in order to reach a settlement on the basis of international law and through dialogue, understanding and respect for national sovereignty;

3. Supports the efforts exerted by the League of Arab States and the Organization of African Unity to persuade the Security Council to accept one of the three options which they proposed jointly to the Council, namely:

(a) To try the two suspects in a third neutral country, to be determined by the Security Council;

(b) To try the two suspects at the headquarters of the International Court of Justice at The Hague in accordance with Scottish law by Scottish judges;

(c) To set up a special criminal court to try the two suspects at the headquarters of the International Court of Justice at The Hague;

4. Appeals to the Security Council to lift the sanctions imposed on the Jamahiriya, taking into consideration the latter's positive initiatives and the proposals made by regional organizations contained in paragraph 3 of this resolution;

5. Recommends the creation of a coordination committee between the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference in order to undertake appropriate steps with the Security Council so as to study the modalities for lifting the sanctions imposed on the Great Jamahiriya;

6. Reaffirms the importance of a final settlement to the crisis and urges member States to intervene promptly with the Security Council for a lifting of the sanctions, notably for the following reasons, and to facilitate them:

(a) Libyan flights for humanitarian purposes relating to medical treatment, the import of medicines, and transport of the deceased;

(b) Special flights transporting assistance in kind from the Jamahiriya and other countries;

(c) Flights of a religious nature;

(d) Flights relating to the participation of the political leadership and Libyan official delegations in regional and international meetings;

(e) Flights relating to the extension of necessary support with respect to emergency equipment and services directly related to civil air traffic control, including the updating of equipment and the requirements of search, rescue, training and maintenance;

(f) Facilitating the acquisition of spare parts for agricultural aviation and desert vehicles used in monitoring and combating desert locust;

(g) Any measures relating to the freezing of Libyan foreign accounts;

7. Reaffirms the importance of the performance of the Hajj, which is a sacred pillar of Islam and an obligation for all Muslims; in this regard, it is imperative to accord all facilities so that the pilgrims may visit the holy sites without any hindrance or difficulty and to permit the aircraft carrying Libyan pilgrims and flights for religious purposes to reach the holy sites from Libyan territory and to ensure the passage of the aircraft over member States in conformity with international law;

8. Supports the right of the Great Jamahiriya to demand appropriate reparations for human and material losses resulting from the application of the two aforementioned resolutions of the Security Council;

9. Requests the Secretary-General to follow up the implementation of this resolution and to submit a report thereon to the ninth session of the Organization of the Islamic Conference.